IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:20 CR 64-MR-WCM

UNITED STATES OF AMERICA)
v.) ORDER
JACOB DAYLEN ROSS,)
Defendant.)))

This matter is before the Court on an Unopposed Motion for Appointment of Second Chair (the "Motion," Doc. 11), through which Assistant Federal Public Defender Fredilyn Sison requests that attorney Ben Scales be appointed as second chair counsel in this case and that Mr. Scales be compensated "at the prevailing rate or reduced rate as determined by the court pursuant to the United States District Court for the Western District of North Carolina Criminal Just Act Plan, Section X.G.2." Doc. 11, p. 3.

Section X.G.2 provides that in felony cases where counsel has been appointed under the CJA, Training Panel members serving as second-chair counsel may be compensated: (a) at the prevailing hourly rate under the CJA, in cases determined by the Court to be unusually difficult, or otherwise, (b) at a reduced rate authorized in advance by the Court.

Here, Defendant is charged with five counts of production, receipt and possession of child pornography. Doc. 6. Defense counsel avers in the Motion

that she has been advised that the Government has received additional

investigative materials from local law enforcement and plans to supersede the

indictment with additional child pornography charges.

Having reviewed the Motion and the docket, the undersigned concludes

that the request should be granted.

IT IS THEREFORE ORDERED that:

1. Attorney Ben Scales is appointed as second chair counsel for the

defense in this matter.

2. Mr. Scales shall be compensated at the prevailing hourly rate under

this district's Criminal Justice Act Plan, Section X.G.2.

Signed: September 21, 2020

W. Carleton Metcalf

United States Magistrate Judge